

II. The Drawings Satisfy All Formal Requirements

The Office Action objects to the drawings based on informalities. Figures 1-8 were replaced with formal drawings in the November 6, 2001 Response to Notice to File Corrected Application Papers. Withdrawal of the objection to the drawings is respectfully requested.

III. Claims 1-9 Define Patentable Subject Matter

The Final Office Action rejects claims 1, 2 and 9 under 35 U.S.C. §102(e) over U.S. Patent 6,424,779 to Ellison *et al.* (Ellison). The Final Office Action further rejects claim 5 under 35 U.S.C. §103(a) over Ellison. The Final Office Action further rejects claims 3 and 6 under 35 U.S.C. §103(a) over Ellison in view of U.S. Patent 6,049,040 to Biles *et al.* (Biles). These rejections are respectfully traversed.

A claim must be anticipated for a proper rejection under §102(a), (b) and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” See MPEP §2131. The Final Office Action has not satisfied this burden with Ellison.

Ellison does not teach or suggest an optical fiber guide device including, *inter alia*, a guide body operable to guide and hold an optical fiber cord received and bent along an arc therein, the guide body including a guide receiving part having a base bordered substantially perpendicularly by a pair of peripheral walls for flanking the optical fiber cord to form a trough having an opening opposite the base in a substantially U-shape cross-section, and a mounting part provided on an outer face of the guide body to be fitted to an object of installation, wherein the mounting part protrudes outwardly from the base towards the object of installation, as recited in claim 1.

In addition, Ellison fails to teach or suggest the guide device wherein the guide groove or the guide channel is formed in a shape bent at a bending radius which is larger than the smallest bending radius of the optical fiber cord, as recited in claim 2.

Instead, Ellison discloses a coupling system 100 having a trough inner wall section 101 and a coupling framework 102. In particular, Ellison teaches that the inner wall section 101 includes a bottom wall 101a, side walls 101b, 101c and structure rails 130. The coupling framework 102 includes a bottom wall structure 97 and adjacent structure sections 129 for receiving the structure rails 130 (col. 3, line 61 – col. 4, line 16 and Fig. 1 of Ellison).

Claim 1: Moreover, Ellison teaches the coupling system 100 as interconnecting an intersection junction trough 200 with an elbow junction trough 201 (col. 5, line 55-60 and Fig. 7 of Ellison). Also, Ellison provides for the inner wall section 101 a pair of flexible members 230, each ending in tabs 229. See col. 6, lines 30-36 and Fig. 12. Ellison teaches that the mounting mechanism includes flexible members 230 for protruding through two apertures 231 of the coupling framework 102, shown in Fig. 1. Hence, Ellison provides a mounting mechanism for the coupling 100, instead of the elbow junction trough 201. Thus, Ellison lacks a mounting part for the fiber optic guide that is bent along an arc, as recited in Applicant's features for claim 1. These reasons apply by extension to claims 2 and 9.

Claim 2: Further, Ellison shows in Fig. 7 that the elbow junction trough 201 has a sharp turn for both the inner and outer radii. Thus, Ellison fails to teach or suggest a gentle bending radius larger than the smallest bending radius of the optical fiber cord, as recited in Applicant's features for claim 2.

Because Ellison lacks both the mounting part in the fiber optic guide, as recited in Applicant's claim 1, or the bending radius exceeding the smallest cord bending radius, as recited in Applicant's claim 2, Ellison does not anticipate all the presently claimed features.

Claim 5: Regarding the obviousness rejection to claim 5, Applicant respectfully asserts that Ellison provides no teaching or suggestion to modify its teachings to provide a guide device for a multi-fiber cord with a guide channel holding the optical fibers to be bent at the same bending radius, as recited in claim 5. Instead, the troughs of Ellison are shown to

be much too shallow for tandem parallel cords to be arranged vertically (from the bottom) therein. Consequently, Ellison teaches away from the present invention.

Claim 3: Biles does not compensate for the deficiencies of Ellison outlined above for claims 1, 2 and 9. Nor does Biles teach, disclose or suggest the additional features recited in claims 3 and 6. Instead, Biles discloses a cable guide G having a body B and a protection element P. In particular, Biles teaches a channel C shared between the body B and element P to receive cable FC and having a radius of curvature R and disposed between the body B and the protection element P (col. 3, line 56 – col. 4, line 54 and Figs. 1-2 of Biles).

Also, Biles teaches apertures A1, A2, A3 and A4 on element P that connect with apertures A'1, A'2, A'3 and A'4 on body B, respectively. Biles further teaches through-hole fasteners F along the arc of curvature. However, there is no teaching or suggestion for a mounting part that protrudes from the base towards the installation object, as provided in Applicant's claimed features.

Further, there is no motivation to combine features related to coupling trough of Ellison with clamshell channel arrangement of Biles, nor has the Final Office Action established sufficient motivation or a *prima facie* case of obviousness. Ellison lacks any teaching regarding a lid, and instead of a lid, Biles discloses a channel whose depth is divided between two coupled parts of a cable guide. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicant's claimed features.

For at least these reasons, Applicant respectfully asserts that the independent claim is now patentable over the applied reference. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §§102 and 103 be withdrawn.